

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VERNETTE WALKER,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-138-MPT
)	
THE NEWS JOURNAL and ANN)	
HINES,)	
)	
Defendants.)	

SECOND AFFIDAVIT OF DOLORES PINTO

STATE OF DELAWARE)
) SS.
NEW CASTLE COUNTY)

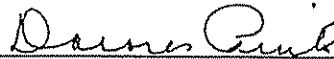
DOLORES PINTO does swear and affirm as follows:

1. I continue to be employed by The News Journal (the "Company") as the Vice President of Human Resources ("HR").
2. The statements herein are in response to certain allegations set forth in Ms. Vernetta Walker's ("Ms. Walker") Answering Brief.
3. The Company did not approve Ms. Walker for a one-year leave of absence. In fact, Ms. Walker never requested a leave of absence for any period of time.
4. Ms. Walker had approximately 23 hours or, in other words, less than one week of earned, unused vacation time.
5. In accordance with the Company's policy, Ms. Walker would not have been paid for any earned, unused vacation time since she was receiving short-term disability ("STD") payments under the Company's Income Protection Plan (the "Plan") through August 30, 2004. In addition, earned, unused vacation time does not extend an employee's STD leave.

6. Per the Company's policy, Ms. Walker's entitlement to payment for earned, unused vacation time did not preclude her termination or have any effect on the Company's decision to eliminate her credit clerk position. Thus, the Company was under no obligation to allow Ms. Walker to use any earned, unused vacation time before eliminating her position due to budgetary and financial constraints.

7. The Company was not aware that Ms. Walker had any earned, unused vacation time until it was brought to my attention by Ms. Walker after the initiation of her lawsuit.

8. The Company has sent Ms. Walker a check for payment of the earned, unused vacation time.



Dolores Pinto, Vice President of Human
Resources

SWORN TO AND SUBSCRIBED before me this 25th day of October, 2007.



Notary Public


My Commission Expires: Dec. 18, 2008

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2007, I electronically filed the foregoing Second Affidavit of Dolores Pinto with the Clerk of Court using CM/ECF which will send notification of such filing to the following and on October 25, 2007, mailed copies of the same via first class mail to:

Vernette Walker
29 Richard Road
New Castle, Delaware 19720
Pro Se Plaintiff



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